UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

SECURITY CONSULTANTS GROUP, INC. Employer

and

Case 16-RC-10961

UNITED GOVERNMENT SECURITY OFFICERS OF AMERICA, INTERNATIONAL UNION

Petitioner

and

INTERNATIONAL UNION, SECURITY,
POLICE AND FIRE PROFESSIONALS OF
AMERICA (SPFPA) AND ITS LOCAL UNION NO. 48
Intervenor

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board, by a three-member panel, has considered objections to a mail ballot election in which the ballots were counted on October 8, 2010, and the Regional Director's report recommending disposition of them. The election was conducted pursuant to a Decision and Direction of Election. The tally of ballots shows 71 votes for Petitioner, 4 votes for Intervenor, no votes against participating labor organizations, and no challenged ballots.

The Board has reviewed the record in light of the exceptions and brief, has adopted the Regional Director's findings and recommendations, and finds that a certification of representative should be issued.¹

Member Hayes notes that the finding in this case is based on the present record evidence. As stated in <u>Lee Adjustment Center</u>, the Board would, of course, consider any subsequent

We find no merit to the Intervenor's contention that an alleged substantial payment in June 2010 by a non-guard union to the Petitioner to disclaim interest in representing guards in another bargaining unit, in conjunction with the Petitioner's alleged financial difficulties, warrants a hearing. Even assuming this to be true, it is insufficient to indicate that the Petitioner lacks the freedom and independence to formulate its own policies and to decide its own course of action. See Lee Adjustment Center, 325 NLRB 375, 376 (1998). We note that the Intervenor does not contend that there is any continuing relationship between the Petitioner and the non-guard union, other than the alleged one-time payment. In these circumstances, we find that the Regional Director properly overruled the Intervenor's objections.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for United Government Security Officers of America, International Union, and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

Included: All full-time and regular part-time security guards, employed by the Company under a Government Security Services contract for the Federal Buildings in Dallas, Texas and surrounding areas which include the following counties: Dallas County, Ellis County, Collin County, Navarro County, Lamar County, Hunt County, Tarrant County, and Grayson County.

Excluded: All office clerical employees, professional employees, managers, and supervisors as defined by the National Labor Relations Act, as well as any temporarily assigned employees or substitute employees also defined in the Act.

Dated, Washington, D.C., March 17, 2011.

Wilma B. Liebman,	Chairman
Mark Gaston Pearce,	Member
Brian E. Hayes,	Member
NATIONAL LABOR RELA	TIONS BOARD

(SEAL)